

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
CRIMINAL NO: 22-CR-223 (NEB/DTS)**

United States of America,
Plaintiff,
vs.
Aimee Marie Bock (1),
Defendant.

**DEFENDANT AIMEE BOCK'S
MOTION IN LIMINE NO. 6**

INTRODUCTION

Defendant Aimee Marie Bock (hereinafter “Defendant”), through her counsel, Kenneth Udoibok, respectfully moves this Court to preclude the Government from introducing certain evidence and making certain arguments. Bock reserves the right to file additional motions in limini once she has reviewed the Government’s recently produced witnesses and exhibits list.

**MOTION IN LIMINE NO. 6
(Feeding Our Future’s administrative process)**

The Government should be precluded from introducing any evidence or making any argument that Feeding Our Future’s administrative process for working with sites and reviewing and processing their claims was in any way deficient, inadequate, or otherwise noncompliant with federal requirements and the Minnesota Department of Education’s (“MDE”) preferences.

MDE reviewed and approved Feeding Our Future's policies and procedures no less than seven times, in August 2018; August 2019; October 2019; June 2020; November 2020; June 2021; and October 2021.

Moreover, on March 31, 2021, MDE sent Feeding Our Future a "Serious Deficiency" requesting more information so MDE could ensure Feeding Our Future's continued compliance with federal regulations. Specifically, MDE requested that Feeding Our Future provide greater information about its growth: "Feeding Our Future must also provide process for how growth over the approved 35% is handled, staffed, and ensures program compliance." MDE also requested Feeding Our Future produce its "procedure of how Feeding Our Future determines need of sites and recruitment practices, and training." This was the first and only time MDE raised any question about Feeding Our Future's growth. Notably, this request came at the crucial time in dispute, the same month MDE claims it first contacted federal authorities.

In response, Feeding Our Future produced several documents, including a six-page, single spaced document titled "Managing Growth Over 35%." That document explained the steps Feeding Our Future had taken in response to the increased need for the program caused by COVID-19, the social unrest around the murder of George Floyd, and numerous school and business closures. The document describes in detail the policies and procedures Feeding Our Future had in place; it explains how they worked; and it goes through the roles and responsibilities every person played in implementing those policies.

Feeding Our Future also provided a “Staff Roster” that listed every single person working at Feeding Our Future and their title.

Feeding Our Future also provided a “Corrective Action Plan” that also detailed how Feeding Our Future was ensuring responsible growth. The Corrective Action Plan also walked through who was responsible for ensuring responsible growth and explaining precisely how they were doing so. In its Corrective Action Plan, Feeding Our Future repeatedly invited more guidance and more oversight on its policies and procedures. As part of its Corrective Action Plan in response to MDE’s questions about growth, Feeding Our Future repeatedly asked for greater guidance and oversight from MDE. For example, Feeding Our Future wrote:

“If MDE has suggestions on additional protocols or practices it believes Feeding Our Future should implement to create greater confidence in its compliance with federal regulations, Feeding Our Future would be happy to discuss and implement any suggestions MDE might have.”

“Again, Feeding Our Future looks to MDE to explain its concerns and partner with Feeding Our Future to ensure the development of best practices and policies.”

“As always, Feeding Our Future is a willing and eager partner with MDE and more than happy to develop, adopt, and implement any policies, procedures, or ideas MDE believes might benefit the program.”

“Nonetheless, Feeding Our Future invites and welcomes any thoughts MDE might have to help make it a better sponsor.”

“Feeding Our Future remains eager to work with MDE to resolve any concerns that exist regarding our ability to sponsor the CACFP and the SFSP.”

On June 4, 2021, MDE responded that Feeding Our Future documents “fully and permanently” addressed its concerns without requesting Feeding Our Future take any additional steps and without providing any of the invited guidance.

Any argument or suggestion that Feeding Our Future’s policies and procedures generally, or its process for onboarding and working with sites was in any way inadequate or not compliant with federal law would contradict MDE’s explicit administrative determination; would be a fatal variance from the allegations in the indictment; and would be unsupported by any facts or evidence the Government may introduce.

The Government should be precluded from presenting any evidence or making any arguments that Feeding Our Future’s policies and procedures were in any way deficient or inadequate.

Respectfully Submitted

KENNETH UBONG UDOIBOK, P.A.

January 13, 2025

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